

REMARKS

A. Summary of the Invention and Claim Amendments.

Claims 1 and 12 are currently amended. Claims 5-7, 9, 17-18, 20, 22-31 and 33 were previously canceled and Claims 11, 19, 21 and 34-40 are canceled herewith. After amendment, Claims 1-4, 10, 12-16 and 32 are pending.

Claims 1 and 12 have been amended to recite that the desired result (killing of up to 82% of ectoparasites) can be achieved within an hour of treatment after the composition of the invention remains on the treated area for as little as 10 minutes. Support for the amendment is found in the Specification at paragraph [0039]. Grammatical changes have also been made to Claim 12 to accommodate the amendment.

Claims 11, 19 and 21 were directed to the use of a cyclic siloxane as a carrier. As discussed in the Response to Final Office Action of June 10, 2010, Applicants submit that Claims 1 and 12 require that only isopropyl myristate be present in an amount sufficient to kill ectoparasites such that, by definition, any siloxane carrier would not be present in an ectoparasitidal amount. However, to expedite allowance of the claims pending after amendment herein, Claims 11, 19 and 21 are hereby cancelled without prejudice to their presentation in a later divisional or continuation application.

No new matter being added to the Specification, entry of the proposed amendment is therefore requested. The Examiner's consideration of the claims as amended is appreciated.

B. Interview Summary.

Applicants thank the Examiner for his courtesy in meeting with their undersigned representative on July 23, 2010. The Examiner's Interview Summary of July 26, 2010 from the meeting is gratefully acknowledged.

The Singer reference was discussed. Applicants submitted that Singer teaches that use of isopropyl myristate is taught when admixed with an aliphatic alcohol in an ectoparasitidal composition (Col. 2, lines 1-5). Singer requires application of a "pediculicidal toxic amount" of the composition, and defines such as amount as "the amount which will cause virtually 100% of the lice exposed in the two or four minute immersion test described below to die within 24 hours", an *in vitro* standard (Col. 3, lines 19-26).

Nothing in the reference suggests that 100% of lice could be killed within one hour of administering the composition after it remains on a treated subject for 10 minutes. More particularly, nothing in the reference suggests that such an effect could be obtained using a composition containing less than 70% isopropyl myristate, as presently claimed.

To the contrary, Singer teaches that pediculocidal properties are only exhibited by aliphatic esters "when applied in a substantially pure form, i.e., in a concentration of at least 70% or more", which concentration is said to be "inconvenient and inappropriate" (Col. 2, lines 53-56.). Indeed, test data reported by Singer show that isopropyl myristate is uniquely *ineffective* at killing lice at concentrations below 70%--see the Figure, at Curve 2, which shows that **only about 15% mortality** is achieved through application of IPM in concentrations below 70%. Therefore, Singer concluded that it requires not less than 70% of the isopropyl myristate to achieve a 100% mortality (Col. 4, lines 26-35).

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In contrast, as acknowledged in the Interview Summary, application of the composition of the invention as claimed for a period of 10 minutes provides superlative results as compared to Singer; i.e., at least 50% ectoparasites die after 10 minutes exposure to the composition *in vivo* within an hour of treatment. It is therefore submitted that the invention as claimed is not rendered obvious by Singer.

Reconsideration of the claim rejections as discussed during the interview is therefore respectfully requested.


CONCLUSION

All of the pending claims are believed to be in condition for allowance. Reconsideration of the outstanding claims rejections and allowance of all pending claims is therefore respectfully requested.

No fees are believed to be due in connection with the filing of this paper. However, the Commissioner is hereby authorized to charge any other fees that may be due in connection with the filing of this paper, or credit any overpayment to Deposit Account No. 07-1896, referencing the above-identified docket number.

Respectfully submitted,

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